



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,462	11/26/2001	Alexander Winker	81780	9502

7590 03/29/2005
KRIEGSMAN & KRIEGSMAN
665 Franklin Street
Framingham, MA 01702

EXAMINER

SAETHER, FLEMMING

ART UNIT	PAPER NUMBER
----------	--------------

3677

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,462

Applicant(s)

WINKER, ALEXANDER

Examiner

Flemming Saether

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 14-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5-13, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanton (US 987106). Blanton discloses a nut comprising a nut body (16) and a straining ring (13). The nut body including a neck (17) receiving the straining ring "shoved" thereon and being reversible. The straining ring has hexagonal contour and includes grooves (15) being in a circular arc which cumulatively extend 360° with a complementary number of cams (18) formed on the neck of the nut body. Blanton discloses three cams thus each would extend greater than 60°. However, Blanton discloses that any number of cams may be provided depending upon the nut faces (on page 2, the paragraph bridging the columns) therefore, it would have been obvious for the person of ordinary skill in the art to use a nut requiring 6 or more cams, which equates 60° or less, depending upon the particular application of the nut. Indeed, it is well known to vary the number of faces on a nut for optimal engagement with a fastener for a particular application. The claimed ranges/preferred dimensions would have been recognized depending upon the particular use of the invention. It is well known to vary the size of fasteners depending upon the particular application.

Art Unit: 3677

Claims 1-13, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stencel (US 4,260,005) in view of Williamson (US 4,408,936). As best seen in Figs. 4 and 6, Stencel discloses a securing nut comprising a straining ring (34) having three grooves (38) each extending 120 degrees to total an entire 360 degrees and, a threaded (at 18) nut body (10) having a neck (52) having three cams (28) in the form of curved cams having a curved gradient which extend less than 60°, in the range or 45°, which are clamped to form a "linear gradient". The straining ring being "shoved" onto the nut and would be secured thereto by a clamping force as it engages the cams. Stencel does not disclose the grooves being in the form of a circular arc and forming a "linear gradient". As seen in Figs. 8 and 9, Williamson discloses grooves (63) formed in a circular arc and having a "linear gradient". At the time the invention was made, it would have been obvious for one of ordinary skill in the art to form the grooves of Stencel in a circular arc as disclosed in Williamson to improve the ability to clamp the cams. The circular arc in a linear gradient provides for a more gradual incline to reduce the effort to deform and clamp the cams. The claimed ranges/preferred dimensions would have been recognized depending upon the particular use of the invention. It is well known to vary the size of fasteners depending upon the particular application.

Response to Remarks

The examiner agrees with applicant that Stencel does not disclose the grooves on the straining ring being formed in a circular arc thus obviating the section 102(b)

Art Unit: 3677

rejection relying on Stencel. However, the reference to Williamson has been applied to cure the deficiency of Stencel.

Applicant also argues that Stencel does not meet the limitation of the ring being "reversibly secured" since it would not be possible to loosen the nut after installed. In response, the examiner will agree that it is not intended for the nut to be loosened. However, the language of the "reversibly secured" in the context of the claims only require the *straining ring* to be reversibly secured which the straining ring (or tool) of Stencel would be after installing the nut.

Conclusion

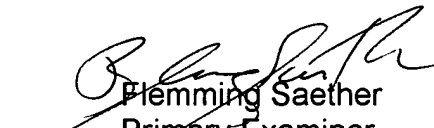
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Flemming Saether whose telephone number is 571-272-7071. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Flemming Saether
Primary Examiner
Art Unit 3677